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P. 002

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PTO-L-413A (12-02)
 Approved for use through xx/xx/xxxx. GMD 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/689,430 First Named Applicant: Walsh
 Examiner: Quian J. Li Art Unit: 1632 Status of Application: Finally rejected

Tentative Participants:

- (1) Murray Sprull, Alston & Bird (2) Kim Wietes Clary, Targeted Genetics
 (3) Kathryn Coulter, Alston & Bird (4) Catherine Polizzi, Morrison Foerster

Proposed Date of Interview: 9/02/2003 Proposed Time: 3:00 p.m. EST

Type of Interview Requested:

- (1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO

If yes, provide brief description:

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rejection under 35 U.S.C. § 103	Claims 1, 3- 11, 13-18, 20, 58-77, 79-88, and 90-92	Dwarki <i>et al.</i> , Robbins, Pittman <i>et al.</i> , Vorachek <i>et al.</i> Chuah <i>et al.</i> , Gnatenko <i>et al.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Rejection under 35 U.S.C. § 103	Claim 12	Dwarki <i>et al.</i> , Robbins, Pittman <i>et al.</i> , Ill <i>et al.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) Rejection under 35 U.S.C. § 103	Claims 2 and 19	Dwarki <i>et al.</i> , Robbins Pittman <i>et al.</i> , Gao <i>et al.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continuation Sheet Attached

Brief Description of Arguments to be Presented: The rAAV vector of claims 1-20 and 58-92 is not unpatentable under 35 U.S.C. § 103(a) because prior to the Applicants' disclosure, those of skill in the art believed that a strong promoter would be required in order to achieve therapeutic levels of expression of B-domain deleted FVIII from a gene therapy vector, and the rAAV IT' R was known in the art to have low levels of transcriptional activity. The prior art does not teach or suggest the claimed invention.

An interview was conducted on the above-identified application on _____
NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Kathryn L. Coulter
 (Applicant/Applicant's Representative Signature)

J. S.
 (Examiner/SPE Signature)

Part of Paper No. 21

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(2) Rejection under 35 U.S.C. § 103	Claim 12	Chuah <i>et al.</i> , Gnatenko <i>et al.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) Rejection under 35 U.S.C. § 103	Claims 2 and 19	Dwarki <i>et al.</i> , Robbins Pittman <i>et al.</i> , Ill <i>et al.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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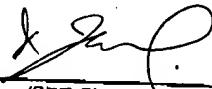
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